

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF IOWA**

**EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff(s)

vs.

JASON LEONARD BOYACHEK,

Defendant(s)

**HEARING MINUTES** Sealed: No

Case No.: CR 6:09-2027-MWB-1

Presiding Judge: Mark W. Bennett

Deputy Clerk: Sarah Melvin

Court Reporter: Kay Carr Contract? Yes

(If yes, send copy to financial)

Recording: Yes Method: FTR Gold

Date:	1/14/2016	Start:	8:31 AM	Adjourn:	9:46 AM	Courtroom:	2, 2 <sup>nd</sup> Floor				
Recesses:	None				Time in Chambers:	None		Telephonic?	No		
Appearances:	Plaintiff(s):	AUSA Patrick Reinert									
	Defendant(s):	appears personally and is represented by Leon Spies									
	U.S. Probation:	Daren Schumaker									
	Interpreter:	None			Language:		Certified:		Phone		
<b>TYPE OF PROCEEDING:</b>		IS THE HEARING		Contested?	Yes	Continued from a previous date?		No			
<b>SENTENCING:</b>											
	Objections to PSIR:						Ruling:				
	Motions to vary/depart:		Defendant's Motion for Downward Variance (doc. 49)				Ruling:	Granted			
			Plaintiff's Substantial Assistance Motion					Granted			
	Count(s) dismissed:		Count 2 of the Indictment								
	Sentence (See J & C):		time served								
	Fine:	waived		Special assessment:		\$100.00 (paid)					
	Supervised Release:		3 years								
	Court's recommendations (if any):										
	Defendant is	detained		and shall report		remanded to USM for delivery to immigration					
	Witness/Exhibit List is		attached								
The offering party must, within 3 days after the hearing, file in electronic form any exhibit that was not filed with a motion, resistance, or other filing related to this hearing. Pub. Admin. Order 09-AO-03-P (05/29/09), ¶ 7.											
Miscellaneous:		Portion of hearing record regarding substantial assistance motion will be sealed. Defendant's Exhibits to be filed by 1/19/2016.									

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**WITNESS & EXHIBIT LIST**

UNITED STATES OF AMERICA,  
Plaintiff(s),  
vs.  
JASON LEONARD BOYACHEK,  
Defendant(s).  
Trial Dates 1/14/16 (Sentencing Hearing)

Case No. CR 6:09-2027-MWB-1  
Presiding Judge Mark W. Bennett  
Deputy Clerk Sarah Melvin  
Court Reporter Kay Carr  
Plaintiff Att'y AUSA Patrick Reinert  
Defendant Att'y Leon Spies

#	PLAINTIFF Witnesses	Date/Time Sworn		Date/Time Excused	

#	DEFENSE Witnesses	Date/Time Sworn		Date/Time Excused	

\* Exhibit Receipted to Task Force Officer

\*\* A=Admitted; APT=Admitted at Pre-Trial; RSO=Received Subject to Objection; OS=Objection Sustained

Marked	COURT Exhibits, Description	Date Offered	**Admitted?

Marked	PLAINTIFF Exhibits, Description	Date Offered	**Admitted?
	None		

Marked	DEFENSE Exhibits, Description	Date Offered	**Admitted?
A-T	Letters	1/14/16	A
U	Letter from Dr. J. Gordon Reid - <b>SEALED</b>	1/14/16	A
V	Letter from Cranbrook Community Corrections	1/14/16	A
W	Notice of Discontinuance	1/14/16	A
X	Document	1/14/16	A
Y	Criminal History	1/14/16	A
Z	DHS Report - <b>SEALED</b>	1/14/16	A
AA	News Article	1/14/16	A